

EXHIBIT 98

Declaration of Karol Mason

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
CASE NO. 1:14-CV-954**

**STUDENTS FOR FAIR
ADMISSIONS, INC.,**

Plaintiff,

v.

**UNIVERSITY OF NORTH
CAROLINA et al.,**

Defendants.

DECLARATION OF KAROL MASON

DECLARATION OF KAROL MASON

I, Karol Mason, hereby make this declaration from my personal knowledge and, if called to testify to these facts, could and would do so competently:

Background

1. I served as the Assistant Attorney General for the Office of Justice Programs during President Obama's administration. I held this position from 2013 when I was confirmed by the United States Senate through early 2017 when the administration changed. As of August 2017, I am the President of the John Jay College of Criminal Justice at the City University of New York.

2. The Office of Justice Programs works in partnership with the justice community to identify the most pressing crime-related challenges confronting the justice system and to provide information, training, coordination, and innovative strategies and approaches for addressing these challenges. As Assistant Attorney General, I oversaw an annual budget of approximately \$4 billion that supported state, local, and tribal criminal justice agencies; an array of juvenile justice programs; a wide range of research, evaluation, and statistical efforts; and comprehensive services for crime victims.

3. I grew up in Amityville, New York, a town of less than 10,000 people. My father, Dennis Edward Mason, was a public health administrator who worked for New York City's Health and Hospital Corporation. My mother, Hattie Vertelle Mason, was one of the first Black public school teachers on Long Island. The NAACP sued on her behalf to allow her to teach. My father and mother were college-educated and earned Master's Degrees. I have three siblings, all with graduate degrees.

4. I graduated from The University of North Carolina at Chapel Hill (“UNC-Chapel Hill”) in 1979. I earned a Bachelor of Arts in Mathematics in 1979 at UNC-Chapel Hill. I earned a Juris Doctor at the University of Michigan Law School in 1982.

5. After graduating from law school, I served as a Judicial Law Clerk for Judge John F. Grady of the United States District Court for the Northern District of Illinois. I practiced law in Atlanta at the law firm of Alston & Bird from 1983 to 2009, becoming the firm’s first Black female partner in 1990. I concentrated on public and project finance, chaired the firm’s Public Finance Group, and served as chair of its Management Committee.

6. I left private practice to serve as a Deputy Associate Attorney General from April 2009 to February 2012. I then returned to private practice prior to my confirmation as Assistant Attorney General.

7. I was a member of the Board of Trustees at UNC-Chapel Hill from 2001 to 2009, serving as Vice-Chair, as Chair of the Audit and Finance Committee, and as a member of the Endowment and Investment Committees.

My Experience at UNC-Chapel Hill

8. I wanted to attend UNC-Chapel Hill because it was exciting to go to school at a place where I did not know a soul.

9. I graduated from high school in New York, and I was awarded a Regents Scholarship for college, which I declined to attend UNC-Chapel Hill. I received a Regents Diploma with commendations in both Foreign Language and Math, so I felt I could pursue either at UNC-Chapel Hill.

10. When I got to UNC-Chapel Hill, I met with an advisor before classes started. He was a law school professor and recommended that I pursue foreign language because he knew I wanted to go to law school and he thought this was the easier academic approach. I decided to pursue both math and foreign language.

11. In the Math Department, I was frequently the only Black student in class. I was not intimidated, but I worried about professors and their perceptions of me because of my race.

12. I went through UNC-Chapel Hill during a time when there were serious disputes about tenure for Black Faculty Members. There were protests about it. There were also issues about the inclusion of Black students on campus and whether we were welcome at UNC-Chapel Hill.

13. My experiences taught me the importance of having other students of color on campus. Representation is very important to make sure that the campus is welcoming and inclusive, as well as to ensure that diverse perspectives are represented.

Importance of Diversity

14. Based on my professional experience, I am a firm believer that as an organization leader, you reach better decisions when there are different perspectives at the table helping you make those decisions.

15. In my experience, in the educational context, diversity is particularly important because education is about teaching people how to think. Diversity of perspective and background is critical to learning and developing critical thinking skills.

If students are in an environment where all they do is hear people regurgitate the same ideas, they do not learn and grow. There is no debate or critical thinking.

16. One of the challenges we have with young people is being able to develop the critical skills of thinking and questioning. If everyone is saying the same thing, there is no chance to question or think. That does not prepare them for the real world that is constantly changing.

17. In many cases, perspectives fall on race and background. It is important to understand why people think the way they do. You cannot understand the range of solutions if you do not understand the people you are trying to help. As the Assistant Attorney General, for instance, it was essential to have cross-cultural understanding as we addressed issues that impacted diverse communities.

18. Education is the great equalizer. If people are not given the chance to experience each other and learn from each other, we are missing out as a country. Learning from one another has to be mutual and not just a one-way street. It is important to have diversity of experience at universities because these are the places that grow future leaders. Understanding diversity helps us have more successful communities and states.

19. I have observed that with minorities and first-generation college students, the issue is not one of intellectual ability, but one of support. Anyone going to college has problems with adjustment. If we put the right support around them, they will succeed.

20. I am proud to be a product of affirmative action. Race may or may not have been a factor in my admissions decisions, but I had to perform at a certain level to graduate, and I excelled in my performance using any measure of success. You are dealing with a pool of people who all have the capacity to succeed. The question is, which students will be given the opportunity to succeed at UNC-Chapel Hill.

Conclusion

21. As an alumna and former member of the UNC-Chapel Hill Board of Trustees, I care deeply about UNC-Chapel Hill. Racial and ethnic diversity at UNC-Chapel Hill helps students develop the skills they will need to succeed in life, become leaders, and solve society's pressing problems. Moreover, the opportunity I had to attend UNC-Chapel Hill greatly impacted my life, and high-achieving students from all backgrounds can and will succeed at UNC-Chapel Hill if they are given the opportunity.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on: September 21, 2017 Karol O. Mason
Karol Mason